

**1 Jasmin Briannah Gayer McCray-Guardianship Case No. 00CEPR10317**

Petitioner Gayer, Melissa (Pro Per – Mother – Petitioner)

Guardian Gayer (Rouse), Debra A. (Pro Per – Maternal Grandmother – Guardian)

**Petition for Termination of Guardianship**

See petition for details.			<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> This petition was originally filed ex parte; however, the Court set the matter for hearing, with notice to be provided by Petitioner. The Order setting hearing was mailed to Ms. Gayer on 2/26/16.  1. Need Notice of Hearing.  2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on: - Jasmin McCray (Minor) - Debra Gayer (Rouse) (Guardian) - Anton McCray (Father) - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather - Siblings age 12 and older
	Aff.Sub.Wit.		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 3/17/16 <b>Updates:</b> <b>Recommendation:</b> <b>File 1- McCray</b>
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

**2 Edward L. Myers (Estate)****Case No. 03CEPR00979****Attorney Sullivan, Robert L (for Monique M. Hutchins – Petitioner)**

**Final Report of Administrator with Will Annexed and Petition for Its Settlement, for Allowance of Statutory  
Administrator's Commissions; Statutory Attorneys' Fees; Extraordinary Administrator's Commissions, and  
Extraordinary Attorneys' Fees; and for Final Distribution on Waiver of Accounting**

<b>DOD: 04/05/2003</b>		<b>MONIQUE M. HUTCHINS</b> , Administrator with Will Annexed, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition states the share due to the Estate of Kathleen I. Stoll, will be distributed among the other three beneficiaries pursuant to Judgment of Final Distribution entered on 03/27/2006 in Case No. 05CEPR00385. Need copy of the order filed 03/27/2006.  2. Petition requests that the LLC be dissolved and the amount be dispersed less cost of dissolution to each beneficiary; this statement appears vague. Local Rule 7.12.1 states a petition for distribution must list and describe in detail all property to be distributed. Court may require LLC to be dissolved and costs paid in connection with same prior to distribution in order that the amounts of distribution can be exact dollar amounts.  3. The petition does not comply with Local Rule 7.12.1 as it does not list and describe in detail the property to be distributed to each beneficiary.	
		Accounting is waived		
<b>Cont. from 021116</b>		I&A - <b>\$894,281.61</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	POH - <b>\$324,804.70</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	<b>Executor</b> was allowed 90% of statutory fees in the amount of \$18,797.07 which resulted in an overpayment of \$511.44 pursuant to the first account filed 06/02/2005.		
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/		<b>Executor X/O</b> - <b>\$27,484.66</b> (for 857 hours in extraordinary services in connection with the maintenance, preparation and sale of the LLC Properties at an hourly rate of \$19.25 for a total of <b>\$15,985.81</b> less overpayment of \$511.44 from first account and reimbursement for mileage in the amount of <b>\$11,498.85</b> )
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>	06/05/13		<b>Attorney</b> was allowed 90% of statutory fees in the amount of \$18,797.07 which resulted in an overpayment of \$511.44 pursuant to the first account filed 06/02/2005.
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			<b>Attorney X/O</b> - <b>\$9,552.56</b> (Per Declaration; 17.20 Attorney hours at \$430.12 per hour for Mr. Sullivan and 11.90 Attorney hours at \$240.42 for Attorney Mara Erlach)
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			Reimbursement - <b>\$462.00</b> (filing fees, certified copies)
<input type="checkbox"/>	<b>FTB Notice</b>			
		Reserve - <b>\$15,000.00</b> (for tax preparation, post distribution expenses and any liabilities)		
<b><u>Please see additional page</u></b>			<b>Reviewed by:</b> LV <b>Reviewed on:</b> 03/21/2016 <b>Updates:</b> <b>Recommendation:</b> <b>File 2- Myers</b>	

**Petition states:** on 03/16/2005 petitioner filed herein her First Report on Waiver of Accounting for the period ending 12/31/2004 (the "First Report"). The period of this Report is from 01/01/2005 to 10/31/2015 on which the petitioner reports property on hand amounting to \$324804.70 consisting of cash in the sum of \$152,980.00 and a 100% membership interest in Elm & Church LLC, a California Limited Liability Company. The sole asset of the LLC is cash in the sum of \$171,824.70. Due to leaky underground storage tank contamination issues and other potential contamination issues, the Co-Administrators, also acting under a Notice of Proposed Action, transferred title to the following real properties of the estate of the LLC:

- a) 2368 and 2356 S. Elm Ave, Fresno, Ca. appraised at \$210,000.00;
- b) 2394 S. Elm Ave, Fresno, Ca. appraised at \$50,000.00; and
- c) Unimproved rea property contiguous to the forgoing property (APN: 478-254-05), appraised at \$40,000.00.

The LLC was formed (with approval of the Court) and the above parcels of real property were transferred thereto in order to minimize the exposure of the estate and the beneficiaries liability related to contamination and potential contamination. The Notice of Proposed Action was filed herein on 01/19/2005 and was not opposed by the beneficiaries. During the course of the administration the three parcels of property were sold by the LLC resulting in the \$171,824.70 cash which now is the sole asset of the LLC. The Administrator should be instructed to dissolve the LLC and to distribute to the beneficiaries the cash (less costs of dissolution) received by the Estate upon dissolution of the LLC.

**Petitioner requests Distribution of the balance of the estate, consisting of all net cash in equal shares.**

**NEEDS/PROBLEMS/COMMENTS (continued):**

**Note:** Pursuant to Local Rule 7.12.6 the court will set the following Status Report for the Informal Accounting of the Closing Reserve:

- **Thursday, August 11, 2016 at 9:00 a.m. in Dept. 303** for an Informal Accounting of the \$15,000.00 Closing Reserve.

Pursuant to Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and not appearance will be required. **Filing of the Informal Accounting of closing reserve will not generate a new hearing date.**

**3A Anthony Barrera and Gabriel Benito Barrera (Guardianship)**  
**Case No. 03CEPR01548**

**Petitioner** Kenda Bouhaben (pro per)  
**Attorney** Zepure "Zeppy" Attashian (for Ramona Gonzales – Objector/Guardian of Anthony)

**Petition for Termination of Guardianship**

		<b>KENDA BOUHABEN</b> , mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>This petition pertains to ANTHONY only.</b>  <u>Continued from 2/18/16</u> <b>Minute Order states</b> Counsel informs the Court that they have come to an agreement. The agreement needs to be in writing and the Court will consider it. As of 3/18/16 an agreement has not been filed.  1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for Tony Gutierrez (maternal grandfather).
		<b>RAMONA GONZALES</b> , maternal grandmother, was appointed guardian of Anthony Barrera on 04/05/04.	
		Please see petition for details.	
		<b>Objection to Termination of Guardianship</b> filed 12/31/15 by Ramona Gonzales	
		<b>Court Investigator filed a report on 02/05/16.</b>	
		<b>DSS Social Worker filed a report on 02/16/16</b>	
<b>Cont. from 012516, 021816</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF/KT
			<b>Reviewed on:</b> 3/18/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3A- Berrera &amp; Barrera</b>

**3A**

Attorney Zepure "Zeppy" Attashian (for Petitioner Ramona Gonzales)  
 Objector Kenda Bouhaben (pro per)

## Petition for Appointment of Guardian of the Person

		<b><u>NO TEMPORARY IN PLACE; TEMPORARY DENIED ON 01/25/16</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>RAMONA GONZALES</b> , maternal grandmother, is Petitioner.	This Petition is regarding <b>GABRIEL</b> only. Petitioner was appointed Guardian of Anthony on 04/05/04.
Cont. from 021816		Please see petition for details.	
<input type="checkbox"/>	Aff.Sub.Wit.		<b><u>Continued from 2/18/16</u></b> <b>Minute Order</b> states Counsel informs the Court that they have come to an agreement. The agreement needs to be in writing and the Court will consider it. As of 3/18/16 an agreement has not been filed.  1. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Kenda Bouhaben – <i>personal service needed</i> b. Tony Gutierrez – <i>service by mail ok</i> c. Daniel Barrera, Jr., Edward Barrera, and Sandra Barrera (if age 12 and over) – <i>service by mail ok</i>  2. Order is incomplete. Need new order.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> JF/KT
			<b>Reviewed on:</b> 3/18/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3B- Barrera</b>

**4 Estate of Patricia A. Chaney Case No. 04CEPR01052****Attorney: Steven F. Salazar (for Administrator Martin Wade Chaney)****Attorney: Mark S. Poochigian (for Administrator Rhonda A. Malewski)****Probate Status Hearing RE: Filing of the First or Final Account**

<b>DOD: 2/6/2004</b>	<b>MARTIN WAYDE CHANEY and RHONDA ANN CHANEY MALEWSKI</b> were appointed co-administrators with full IAEA authority and without bond on 10/12/2004.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Letters issued on 10/12/2004.	
	Inventory and Appraisal filed on 1/20/15 showing an estate valued at \$423,000.00.	<b>Minute Order of 01/14/2016: Counsel requests 60 days; parties going to mediation in February.</b>
<b>Cont. from 011416</b>	Creditor's Claims filed: U.S. Bank - \$1,778.52.	
<b>Aff.Sub.Wit.</b>	Minute Order of 08/13/2015 set this Status Hearing for the filing of the First and/or Final Account.	1. Need First Account or Petition for Final Distribution.
<b>Verified</b>	<b>Status Report of Administration filed by Attorney Steven F. Salazar on 03/18/2016</b> states on 02/25/2016, the Co-Administrators/beneficiaries participated in mediation and entered into a written settlement agreement regarding the issues of dispute. On 03/02/2016, a proposed Petition for Settlement of First and Final Report on Waiver of Account, for Final Distribution, and Allowance of Statutory and Extraordinary Fees and for Reimbursement of Costs of Administration, proposed order and Waiver of Account was set to Mark S. Poochigian, counsel for Co-Administrator Rhonda Malewski, for review. On 03/03/2016, Mr. Poochigian acknowledged receipt of the proposed Petition and advised counsel for Martin Chaney that he would get back with any corrections or revisions. As of the date of this Status Report, there has been no communication from Mr. Poochigian's office regarding the status of the proposed documents sent 03/03/2016. As far as co-administrator Martin Chaney is concerned, the estate is in a position to be closed. The interest of all concerned are adversely affected by the continued delay in closing this estate.	
<b>Inventory</b>		<b>Reviewed by:</b> LV
<b>PTC</b>		
<b>Not.Cred.</b>		<b>Reviewed on:</b> 03/21/2016
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		<b>Updates:</b> 03/23/2016
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		<b>Recommendation:</b>
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		<b>File 4- Chaney</b>
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**Please see additional page**

**Status Report of Co-Personal Representative Rhonda Malewski filed 03/23/2016 states** On 02/25/2016, the parties and their respective counsel participated in a successful mediation at which the parties entered into a Settlement Agreement and Mutual Release (the "Settlement Agreement"). On March 2, 2016, Mr. Salazar, as counsel for Mr. Martin Chaney, transmitted to the undersigned counsel a proposed Petition for Settlement of First and Final Account and for Final Distribution and Allowance of Statutory and Extraordinary Fees and for Reimbursement of Costs of Administration (the "Proposed Petition"). On March 3, 2016, the undersigned counsel advised Mr. Salazar that the Proposed Petition was unacceptable, in that it purported to make adjustments to the parties respective distributive shares that were inconsistent with the Settlement Agreement. Mr. Salazar indicated at that time he would review the Settlement Agreement in light of the concerns expressed. On March 21, 2016, the undersigned counsel transmitted by electronic mail a letter to Mr. Salazar conveying further comments and requested revisions to the Proposed Petition, and expressing hope that a petition for final distribution could be filed before the instant status hearing.

Rhonda A Malewski requests that the court continue the instant status hearing for 30 days to allow the parties time to file a petition for final distribution that is consistent with the Settlement Agreement.

**Probate Status Hearing Re: Filing of the Fourth Account**

		<b>COMERICA BANK &amp; TRUST, N.A.</b> is Trustee.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Trustee's Third Account and Report with an account period ending 1/31/15 was approved on 3/19/15.	<b><u>OFF CALENDAR.</u></b> Fourth Account filed and set for hearing on 5/2/16
<b>Cont. from</b>		Minute order dated 3/19/15 set this status hearing for the filing of the Fourth Account.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		<b>Reviewed by: KT</b>
<input type="checkbox"/>	<b>Status Rpt</b>		<b>Reviewed on: 3/18/16</b>
<input type="checkbox"/>	<b>UCCJEA</b>		<b>Updates: 3/22/16</b>
<input type="checkbox"/>	<b>Citation</b>		<b>Recommendation:</b>
<input type="checkbox"/>	<b>FTB Notice</b>		<b>File 5- Whitmire</b>



**First and Final Account and Petition for Final Distribution and for Allowance  
of Statutory and Extraordinary Compensation and Reimbursement of Costs**

<b>DOD: 12/19/12</b>	<b>MINDY SHIRLEY</b> , Second Successor Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 4/14/13 – 1/5/16	<b>NEED AMENDED PETITION based on but not limited to the following:</b>
<b>Cont. from</b>	Accounting - \$415,453.86	<ol style="list-style-type: none"> <li>Petition states a corrected Inventory and Appraisal will be filed prior to the hearing on this matter. As of 3/18/16 the corrected inventory and appraisal has not been filed.</li> <li>Losses on sales is incorrectly stated. Losses only include the actual loss not the net proceeds received. Therefore actual losses total \$14,928.33 and not \$38,944.21 as stated in the petition.</li> <li>Statutory Fee base is incorrect. Fee base fails to include the losses. The losses are listed but when the figures are added they are not factored into the total. The statutory fee base is \$400,525.53 resulting is statutory fees of \$11,010.15.</li> </ol>
<b>Aff.Sub.Wit.</b>	Beginning POH - \$392,636.95	
<b>Verified</b>	Ending POH - \$348,017.88	
<b>Inventory</b>	Administrator - \$11,309.00	
<b>PTC</b>	(greater than statutory, see note #2, split between Petitioner and the two prior Administrators)	
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>	Attorney - \$11,309.00	
<b>Aff.Pub.</b>	(greater than statutory, see note #2)	
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	Attorney x/o - \$14,656.00	
<b>Conf. Screen</b>	(for back taxes, sale of real and personal property and the appointment of two successor administrator.)	
<b>Letters</b>		
<b>Duties/Supp</b>	Proposed distribution appears to be incorrect based on #9 of the Needs/Problems and Comments.	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Please see additional page</b>
		<b>Reviewed by:</b> KT
		<b>Reviewed on:</b> 3/18/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6- Sanchez</b>

4. Manuel Rojas, brother, was the initial Administrator of this estate. Petition requests reimbursement of \$32,863.20 to the Estate of Manuel Rojas for expenses of the decedent and the estate paid by Mr. Rojas personally. Mr. Rojas's expenses include items that may need clarification as follows:
  - a. \$1,000.00 on 11/28/12 to Pat Hernandez for house clean-up – This charge is prior to decedent's death. Pat Hernandez was the first successor Administrator. The court may require more information regarding this charge.
  - b. \$1,000.00 on 12/9/12 to Lupe Rojas for house clean up - This charge is prior to decedent's death. Is Lupe Rojas a relative of the former Administrator Manuel Rojas? The court may require more information regarding this charge.
  - c. ATT charges totaling \$200.08 that are after the decedent's death.
  - d. \$500.00 to John Esparza on 2/21/13 for help with cars.
  - e. \$5,795.70 in travel expenses for former Administrator Manuel Rojas to fly from his home in Los Angeles to Fresno. Mr. Rojas took a total of 10 trips to Fresno. Four of the flights were in the month of December 2012, one in February 2013, one in April 2013 and one each month between June and September of 2013.
  - f. \$33.96 for phone rental on 12/29/12.
  - g. \$1,000.00 charge for misc. faxes, long distance, gas, postage, photocopies, notary fees, etc. These items must be itemized.
5. Disbursement schedule includes items that may need clarification.
  - a. \$300 cash withdrawal on 4/11/13 – Manny Travel expenses to Fresno – Claim of Manuel Rojas includes travel expenses to Fresno in April 2013. Is this a duplicate charge?
  - b. \$628.00 for delinquent vehicle registration.
  - c. ATT telephone charges totaling \$697.48
  - d. \$32.36 for phone rental on 8/1/13.
6. Extra ordinary fee request includes items that could be considered statutory, such as telephone calls from heirs of the estate, marshaling assets (CalSTRS, Invesco Insurance policy, Wells Fargo etc.), preparation of inventory and appraisals, preparing Notice of Proposed Action for sale of personal property.
7. At the time of filing it appears that decedent's sister Josephine Esparza was alive. Therefore her share would be distributable to her estate and not her 4 children as proposed.
8. Petition does not address whether or not decedent's sibling Tomasa Rojas (DOD 1990) was survived by issue. If she was her issue would be entitled to a portion of the estate.

**Please see additional page**

9. Petitioner states she has confirmed that all property in the estate at the time of the Decedent's death was her sole and separate property. All property was held in joint tenancy and passed directly to Decedent as the surviving tenant.

There is no property remaining that would be available for distribution to the heirs of pre-deceased spouse, Maurilio Sanchez's heirs. It appears that this is an incorrect statement based on the following:

Spouse, Maurilio Sanchez, predeceased the Decedent on 11/23/2008. Decedent died on 12/19/2012 (4 years after her husband). Neither the decedent nor her predeceased spouse were survived by issue.

Probate Code §6402.5 (a) states for purposes of distributing *real property* under this section [intestacy] if the decedent had a predeceased spouse who died not more than 15 years before the decedent and there is no surviving spouse or issue of the decedent, the portion of the decedent's estate attributable to the decedent's predeceased spouse passes as follows (as relevant to the instant case):

§6402.5 (a)(3) to the surviving issue of the parents of the predeceased spouse or either of them, the issue taking equally if they are all of the same degree of kindship to the predeceased spouse, but if of unequal degree those of a more remote degree take in the manner provided in Section 240.

Probate Code §240 states the property shall be divided in as many equal shares as there are living members of the nearest generation of issue then living and the deceased members of that generation who leave issue then living, each living member of the nearest generation of issue then living receiving one share and the share of each deceased member of that generation who leaves issue then living being divided in the same manner among his or her then living issue.

The petitioner states that Maurilio Sanchez was a joint owner in the property at the time of his death and that the property passed to decedent as surviving joint tenant. Therefore, it appears that Maurilio Sanchez's brothers and sisters would be entitled the his share of the real property under Probate Code §6402.5 (a)(3).

Probate Code §6402.5 (b) states for the purpose of distributing *personal property* under this section if the decedent had a predeceased spouse who died not more than 5 years before the decedent, and there is no surviving spouse or issue of the decedent, the portion of the decedent's estate attributable to the decedent's predeceased spouse passes as follows (as relevant to the instant case):

§6402.5 (b)(3) to the surviving issue of the parents of the predeceased spouse or either of them, the issue taking equally if they are all of the same degree of kindship to the predeceased spouse, but if of unequal degree those of a more remote degree take in the manner provided in Section 240.

**Please see additional page**

It appears that Maurilio Sanchez's brothers and sisters would be entitled to a share of the personal property under Probate Code §6402.5 (b)(3).

Petition lists two living siblings of Maurilio Sanchez and five deceased siblings. It appears that the petition will need to be amended to include the siblings and any issue of deceased siblings for their distributive share of the estate attributable to the predeceased spouse Maurilio Sanchez.

**Probate Status Hearing RE: Filing First/Final Account**

<b>DOD: 3/4/14</b>	<b>MARIA GUADALUPE WARREN aka</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>MARY GUADALUPE LEWIS</b> , Daughter, was appointed Executor with Full IAEA without bond on 9/16/14.	
		<b>1. Need petition for final distribution. See Probate Code §12200 or current written status report per Local Rule 7.5.</b>
<b>Cont. from 111915</b>	At the hearing on 9/16/14, the Court set this status hearing for the filing of the first account or petition for final distribution.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	Final I&A filed 3/26/15 indicates \$986.60 cash plus three parcels of real property and minimal furniture/furnishings for a total value of \$201,086.60.	
<b>Aff.Mail</b>	<b>Status Report filed 11/18/15 states</b> the personal representative was required to commence two separate actions for unlawful detainer of two parcels to evict the occupants of the property. Such occupants have been evicted and possession has been restored to the personal representative.	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>	Among the assets of the estate is certain real property in Hidalgo County, Texas. The personal representative is in the process of engaging local counsel to assist with administration of the estate in Texas with respect to the Texas property. There are not sufficient liquid assets subject to administration in California to pay all expenses of administration, so the Texas property will need to be sold to pay such expenses.	
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by:</b> skc
<b>Status Rpt</b>		<b>Reviewed on:</b> 3/17/16
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>	The personal representative respectfully requests continuance of this status hearing for four (4) months to allow time for the Texas real property to be administered and for the personal representative to file a petition for final distribution.	<b>File 7 - Reyes</b>

Attorney Darlene Azevedo Kelly (for Brian J. Griffin – Executor)

## Probate Status Hearing Re: First Account and/or Petition for Final Distribution

<b>DOD: 05/25/14</b>	<b>BRIAN J. GRIFFIN</b> , nephew, was appointed Executor without bond and with full IAEA on 10/23/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 012116</b>	<b>Minute Order from hearing on 10/23/14</b> set the matter for a status hearing regarding filing of the First Account and/or Petition for Final Distribution on 01/21/16.	1. Need First/Final Account and Petition for Final Distribution.
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Inventory & Appraisal filed 03/18/15      \$113,000.00	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	<b>Declaration of Darlene Azevedo Kelly in Support of Request for Continuance of Status Hearing Regarding Filing of the First Account and/or Petition for Final Distribution filed 3/16/2017 states:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	<ul style="list-style-type: none"> <li>The attorney previously assigned to prepare the final account [Philip Martinez] has left the firm without completing the documents;</li> <li>She has been working on the first and final account and petition for distribution since it was assigned to her 2 weeks ago;</li> <li>She has received from the Executor much of the information necessary to complete the account and has completed a draft;</li> <li>She has been delayed in completing the document because she has conducted a search for two of the beneficiaries who have not been located, and because the Executor resides in Aromas, it is more difficult and time consuming for her to communicate and exchange documents with him;</li> <li>On 3/15/2016, she learned that an immediate family member had died, which necessitates her being out of state for at least the next week, thus delaying her ability to complete the document;</li> <li>Accordingly, she requests the status hearing be continued for <b>30 days</b>.</li> </ul>	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input checked="" type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF / LEG
		<b>Reviewed on:</b> 3/18/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 8- Griffin</b>

Attorney Deborah K. Boyett (for Petitioner Ermeline Becker)  
 Attorney Lisa Horton (Court-appointed for Conservatee)

**Probate Status Hearing Re: Proof of Distribution of Conservatorship Estate  
Assets to Successor Trustee**

		<p><b>ERMELINDE BECKER</b>, sister, Conservator of the Person and Estate, and Successor Trustee of the <b>DOROTHEA STANTON TRUST dated 9/17/2002</b>, filed a <i>First Account and Report of Conservator; Petition for Order Authorizing Proposed Action: (1) Transfer of Property to a Trust Created by the Conservatee, and (2) Termination of Conservatorship of the Estate; and Petition for Allowance of Fees to Attorney for Conservator</i> on 12/30/2015.</p> <p><b>Minute Order dated 2/17/2016</b> from the hearing on the petition indicates the petition is taken under submission; the matter is set for status hearing on 3/24/2016 for proof of distribution of Conservatorship Estate assets to the Successor Trustee.</p> <p><b>Status Report on Distribution of Conservatorship Estate to Successor Trustee of the Dorothea Stanton Trust, Dated September 17, 2002, and Termination of Conservatorship of Estate filed 3/21/2016 states:</b></p> <ul style="list-style-type: none"> <li>On 12/20/2015, Petitioner filed her <i>Petition for Order Authorizing Proposed Action: (1) Transfer of Property to a Trust Created by the Conservatee, and (2) Termination of Conservatorship of the Estate;</i></li> <li>On 2/17/2016, the Declaration of Deborah K. Boyett to Correct Error in First Account and Report of Conservator was filed with the Court, to provide the Court with a copy of the <i>Dorothea Stanton Trust, Dated September 17, 2002, as amended</i>, which was inadvertently omitted as an exhibit to the <i>Petition</i>;</li> <li>On 2/17/2016, a hearing was held on the <i>Petition</i> and the Court took the matter under submission;</li> <li>Additionally, the Court set a status conference for 3/24/2016 in relation to filing a proof of distribution to the successor trustee of the Trust;</li> <li>Upon entry of an order approving and settling the <i>Petition</i>, the Petitioner stands ready to make immediate distribution of the conservatorship estate assets and file a proof of distribution evidencing same.</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>	X		
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
✓ <b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report 9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
✓ <b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 3/18/16</p> <p><b>Updates:</b> 3/21/16</p> <p><b>Recommendation:</b></p> <p><b>File 9- Stanton</b></p>	

**10 Gregg D. Rendino (Estate)****Case No. 15CEPR00485****Attorney Hall, Christopher S. (for Christina F. Rendino – Petitioner – Administrator)****First and Final Report of Administrator, and Petition for Its Settlement, for Allowance of Attorneys' Statutory Fees, and for Final Distribution of Estate on Waiver of Account**

<b>DOD: 09/23/2014</b>		<b>CHRISTINA F. RENDINO</b> , spouse, was appointed Administrator with Limited IAEA authority, is petitioner.  Accounting is waived  I&A - <b>\$131,608.94</b> POH - <b>\$141,485.49</b> (\$21,485.49 is Cash)  Executor - <b>Waives</b>  Attorney - <b>\$4,436.00</b> (\$4,948 is statutory Attorney has agreed to take \$512 less)  Costs - <b>\$900.50</b> (Certified copies, Filing Fee, Publication)  <b>Distribution, pursuant to intestate succession and right of assignment, is to:</b>  Christina F. Rendino - \$16,148.99; Real property located at 5090 N. Roosevelt Ave. #6, Fresno, Ca. and 36532 Franklin Ave., Madera, Ca.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
✓	<b>Inventory</b>		
	<b>PTC</b>		
✓	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b> n/a		
	<b>Aff.Mail</b> n/a		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b> 10/06/15		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV <b>Reviewed on:</b> 03/21/2016 <b>Updates:</b> <b>Recommendation:</b> <b>File 10- Rendino</b>	



Probate Status Hearing RE: Filing of the Inventory and Appraisal

<b>DOD: 7/15/15</b>		<p><b>GIULIANO DICICCO</b> was appointed Executor with Limited IAEA without bond on 10/29/15.</p> <p>At the hearing on 10/29/15, the Court set this status hearing for the filing of the Inventory and Appraisal.</p> <p>A partial I&amp;A was filed 2/22/16. A Final I&amp;A has not yet been filed.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Final I&amp;A per Probate Code §8800 or written status report per Local Rule 7.5.</p>
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 3/18/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11- Stamoulis</b></p>	

Attorney Burnside, Leigh W. (for Petitioners DeeAnn Doyle Summers and John Doyle)  
 Attorney Jaech, Jeffrey A. (for Respondent Christina Fishinghawk)

## Order to Show Cause RE: Failure to File an Accounting as to Richard Doyle and Thomas Borchardt

	DEEANN DOYLE SUMMMERS and JOHN DOYLE, Daughter and Son, filed <b>Petition to Compel Attorney to Account and Report; for Immediate Suspension of Authority to Act; for Revocation of Power of Attorney; and for Surcharge</b> on 10/27/15.	NEEDS/PROBLEMS/COMMENTS:  <b>Note:</b> Page B is Ms. Fishinghawk's Account and Report of Attorney In Fact.
		1. Need account or written status report per Local Rule 7.5 from Richard Doyle and Thomas Borchardt.
Aff.Sub.Wit.		
Verified	CHRISTINA FISHINGHAWK, Daughter, filed <b>Response</b> on 11/30/15.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	<b>Minute Order 12/10/15 states</b> parties agree to an accounting that goes back to 2009. No appearance is necessary at the status hearing if the petition is filed at least two court days prior.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	See also <b>Order Granting Petition</b> filed 12/16/15. The order requires account from Ms. Fishinghawk, Richard Doyle, and Thomas Borchardt.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp	<b>Status Report filed 2/1/16 by Attorney Burnside (attorney for Deeann Doyle Summers and John Doyle) states</b> to date she has not received an account and report from Respondent. She did receive an informal account of Richard Doyle and Thomas Borchardt's administration of the A. James Doyle, Jr., Trust, but no account or report of their activities as Mr. Doyle's attorneys-in-fact.	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	<b>At the hearing on 2/4/16, the Court issued this Order to Show Cause to Richard Doyle and Thomas Borchardt as to why they should not be sanctioned and any other appropriate orders made for their failure to file an accounting by 2/4/16. Richard Doyle and Thomas Borchardt are both ordered to be personally present in court or appear via CourtCall on 3/24/16.</b>	Reviewed by: skc Reviewed on: 3/17/16 Updates: Recommendation: File 12A- Doyle



**Respondent states:** The Fresno County Public Guardian was appointed as Temporary Conservator of the estate of the Principal on 10/30/15 and as the general conservator of the person and estate of the Principal on 12/16/15.

Respondent was ordered to account and report her activities as agent and co-attorney-in-fact commencing 1/1/09 through 12/16/15, including but not limited to all monies held in various Bank of America accounts:

- a. Checking xx3941
- b. Money Market Savings xx3966
- c. Money Market Savings xx4334
- d. Money Market Savings xx9761
- e. Checking xx5779 (trust account)

However, Respondent was not appointed as the attorney-in-fact until 11/29/12 and did not start acting as attorney in fact until approx. 7/17/13, after the Principal aided by **RICHARD DOYLE** opened the above-referenced accounts. Therefore, this accounting begins on 7/17/13. Note: One of the accounts was a trust account and so is not included in this accounting.

Respondent states she had authority to transact business in the Principal's accounts, but did not have exclusive authority or access. The Principal sometimes made transactions on his own or with assistance from someone else, usually without Respondent's contemporaneous knowledge. For example on 1/8/15, Respondent is informed and believes that **JOHN DOYLE** accompanied the Principal to the bank to effect transfers totaling more than \$332,000 from three accounts to a different account (xx9761) of the Principal.

Although Respondent lacked exclusive authority over and access, she nevertheless in this accounting has accounted for all transactions (regardless of whether she was involved) of the following accounts from 7/17/13 -12/16/15:

- a. Checking xx3941, Money Market Savings xx3966, and Money Market Savings xx4334 titled in the names of the Principal and the Respondent, and opened 7/17/13 by the Principal assisted by his brother **RICHARD DOYLE**
- b. Savings xx9761, titled in the Principal's name, opened 1/8/15 on the initiate of **JOHN DOYLE**. Later, Respondent's name was added as attorney-in-fact.
- c. Checking xx3624, titled in the names of **THOMAS BORCHARDT, CPA**, and Respondent in trust for the Principal, opened on 1/12/15.

All bank statements were regularly given to Petitioner DeeAnn Summers. January 2015 and after were delivered by Respondent to Principal's accountant, **THOMAS BORCHARDT, CPA**, and on information and believe, copies were provided to Ms. Summers.

**SEE ADDITIONAL PAGES**

**Sale of residence:** Respondent states about March 2014, the Principal hired real estate agent Alexis Savaros to sell his house on Robinwood Lane in Fresno. Respondent as attorney-in-fact oversaw the sale of the home. Net proceeds of \$120,600.25 were deposited into the trust account xx5779 on 4/18/14.

**Compensation and reimbursements paid to Respondent:** Respondent kept meticulous records of the services she performed for her father as a caregiver and attorney-in-fact for 2009-2015 including mileage and expenses. See petition for details. On 10/23/13, the Principal and Respondent entered into a "Personal Care Contract" under which Respondent was to receive \$20/hr plus reimbursement for expenses for her services to the Principal. On information and belief, the Principal paid **DEEANN SUMMERS** \$1,460 for the months of May through October 2012 for helping him pay bills. She provided no other caregiving services.

About 5/30/14, the Principal paid Respondent \$26,167 and about 7/28/14, reimbursed Respondent \$10,409 for October 2009 through May 2014.

About 11/17/14, the Principal paid Respondent \$73,895 (recomputed to reverse all commuting mileage and babysitting expenses) for her caregiver services, and on 12/22/14 an additional \$3,207.98.

**The gross amount paid to Respondent was \$113,678.98. On information and belief, after Respondent was paid the \$73,895 for her services, TOM BORCHARDT and RICHARD DOYLE paid from the Principal's trust \$61,924 each to Petitioners DEEANN SUMMERS and JOHN DOYLE, even though they had provided no services to the Principal.**

**About 2/20/15, Respondent returned \$33,641 to the Principal's account, so her net compensation and reimbursements was \$80,037.98, itemized at Exhibit G.**

**Sale of car:** The Principal sold his 2003 Honda Accord Coupe "as is" to Respondent's husband for \$4,000 on 11/9/13, \$1,000 down and \$100/month for 36 months. The car had body damage.

**Cashier's checks:** After learning that Petitioner DeeAnn Summers was visiting the Principal at Orchard Park with a notary public on 1/3/15 and on the advice of the Principal's attorney Philip Flanagan, who was concerned that Ms. Summers was attempting to take control of the Principal's accounts, Respondent purchased cashier's checks to substantially deplete accounts #3996, #3941, and #4334. The checks were deposited three days later in the same accounts from which they were purchased. Two days later, these accounts were substantially depleted by transfers assisted by Petitioner John Doyle to account #9761.

**Request for Respondent's Attorneys' Fees:** Respondent has retained Baker Manock & Jensen to assist her in the preparation of this account and report. She is entitled to reimbursement of her attorneys' fees under Probate Code §4204.

**SEE ADDITIONAL PAGES**

**Respondent requests this Court to order that:**

1. The account and report of Respondent as attorney-in-fact be settled, allowed, and approved as filed;
2. All acts and proceedings of Respondent as attorney-in-fact be confirmed and approved;
3. The conservator of the estate pay Baker Manock & Jensen PC attorneys' fees for assisting Respondent in the preparation and presentation of this account and report, in amount to be set by this Court upon proof; and
4. For further orders as the Court deems necessary.

**Declaration of Jeffrey A. Jaech in Support of Attorneys' Fees filed 3/4/16 requests fees of \$18,363.00** for 33.6 attorney hours @ \$395-415/hr and 30.3 paralegal hours @ \$150/hr, as itemized at Exhibit A, and costs of \$675.25, consisting of \$435.00 filing fee and \$675.25 in copies. Declaration states Respondent emailed and faxed all statements and documentation, and attorneys had to print documents to review for accounting.

**Examiner's Note:** Pursuant to Local Rule 7.17, the Court considers photocopy expenses to be a cost of doing business and not reimbursable.

**Supplement to Account and Report of Attorney-In-Fact filed 3/4/16** provides additional detail about various accounts mentioned in the accounting, and describes additional payments madet to Jeff Fishinghawk and Respondent.

**Note:** Objection was filed 3/22/16 by DeeAnn Doyle Summers and John Doyle.

**SEE ADDITIONAL PAGES**

**Objection filed 3/22/16 by DeeAnn Doyle Summers and John Doyle includes objections to:**

1. Scope of account and report: Ms. Fishinghawk agreed to account and report all of her activities as agent and attorney-in-fact for her father, and specifically volunteered to provide an account commencing 1/1/09, thus admitting she was acting as his agent as early as then, even though the DPOA was not executed until 11/29/12. Objectors therefore request that she provide a full and complete account and report of her activities as her father's agent dating back to 1/1/09. (Emphasis in original.)
2. Sale of vehicle to Jeff Fishinghawk: The account reports that Mr. Doyle sold his vehicle to Jeff Fishinghawk on 11/9/13 for \$4,000, \$1,000 down and the balance in \$100 monthly payments for 36 months. However, the accounting does not reflect the down payment and shows two separate \$100 monthly payments on 9/6/13, two months before the purported sale. Further, no payments were collected between April 2014 and May 2015. Objectors state Ms. Fishinghawk should be surcharged for failing to collect the down payment and monthly payments, a total of \$2,400.
3. Book sale proceeds: The account includes two entries for "cash" for "book sale proceeds of \$1,215 each on 4/18/14. Objectors believe these are duplicate entries and the account should be amended to correct the error.
4. Interest income receipts: Schedule B Receipts includes two entries from "Bank of America" for "interest #4334" of \$4.66 each on 1/8/15. Objectors believe these are duplicate entries and the account should be amended to correct the error.
5. Pacific Life Income: Schedule B Receipts shows income from Pacific Life in the amount of \$25,231.22 on 12/16/14, but no explanation of the receipt is provided. Ms. Fishinghawk should be ordered to explain the nature of this receipt.
6. Transfer from Schwab SEP IRA Account: Receipt on 8/13/15 from an IRA in the amount of \$62,384.68 without explanation, e.g., whether this was a required distribution. Ms. Fishinghawk should be ordered to explain the nature and reason for the withdrawal from the IRA.
7. Car Repair on 10/8/14 for \$1,200. Mr. Doyle did not own a car, having purportedly sold his vehicle to Ms. Fishinghawk's husband in 2013. Objectors believe this disbursement was inappropriate and Ms. Fishinghawk should be surcharged this amount.
8. AT&T: Ms. Fishinghawk disbursed the sum of \$76.76 on 1/5/15 for "telephone services for principal. This appears to be the only entry of its type. Objectors believe this payment was not for Mr. Doyle and that Ms. Fishinghawk should be charged this amount.

**SEE ADDITIONAL PAGES**

## 12B The General Durable Power of Attorney of A. James Doyle, Jr.

Case No. 15CEPR01071

### Page 6 – Objection (Cont'd)

9. Disbursement of \$362,283.37 to #6146: No explanation of this account is provided nor is basis for the transfers explained. Objectors request the Court order Ms. Fishinghawk to identify Account #6146 and explain the nature of the transfers.
10. Disbursements/Transfers from #3941: Ms. Fishinghawk reports two \$25,000 disbursements on 7/22/13 from #3941 characterized as transfers between accounts. She reports a transfer of \$25,000 from #3941 to #4334 and another to #5775, described as a "trust account." However, Schedule B Receipts does not reflect either of these transfers. It does show a \$25,000 transfer on 7/22/13, but it is a transfer from #5779 to #4334. There is no receipt showing transfer from #3941 to #4334. Objectors request the Court order Ms. Fishinghawk to amend the account to explain what happened to the two \$25,000 disbursements from #3941, or surcharge of \$25,000.
11. Entry to Balance: Objectors believe the accounting does not balance, hence an "entry to balance" of \$1,070.66. There being no explanation for the missing amount, Objectors request surcharge.
12. Transfers from Wells Fargo accounts: No explanation of the Wells Fargo accounts is provided. Objectors request Ms. Fishinghawk amend to include all Wells Fargo accounts she had access to between 1/1/09 and 12/10/15.
13. Payments to Jeff Fishinghawk: In her supplement, Ms. Fishinghawk states her husband received compensation for "odd jobs" and received \$2,000 to help prepare the residence for sale. None of these disbursements are reflected in the accounting. Objectors request the Court order Ms. Fishinghawk to amend the accounting to include all payments to Jeff Fishinghawk for services he allegedly provided to Mr. Doyle.
14. Schwab Accounts: Also in her supplement, Ms. Fishinghawk admits that she was a cosigner on two Schwab accounts belonging to the trust, and that funds in the accounts were transferred to "Schwab account #9191" and the securities were transferred to "another Schwab account" that she does not identify but thinks may have been another trust account. She states she believes account #9191 belongs to Mr. Doyle's brother Richard Doyle. These explanations are vague and inadequate.
15. Disbursement to Jarco Trucks: Objectors request the Court order Ms. Fishinghawk to provide additional information regarding the disbursement she facilitated on 10/26/11 for \$143,156.64 to Jarco Trucks.
16. Further, Ms. Fishinghawk states the \$143,156.64 disbursement came from Wells Fargo Account #2148, which was closed on 2/17/12, balance transferred to WF #7666, but Ms. Fishinghawk does not identify the owner of #7666 nor the amount transferred thereto.

**SEE ADDITIONAL PAGES**



**Page 7 – Objection (Cont'd)**

17. Compensation paid to Ms. Fishinghawk: Objectors object to compensation of \$113,678.98 for purported caregiver services, reimbursement of expenses and mileage, without description of hours, services, expenses, mileage log, to substantiate. Objectors object to her reliance on the "personal care contract," as Objectors believe that Mr. Doyle was suffering from Alzheimer's disease and was unduly influenced by Ms. Fishinghawk to sign the agreement and it is therefore invalid.
18. Attorney fees: Objectors object to payment of Ms. Fishinghawk's attorney's fees and costs from Mr. Doyle's trust or conservatorship estate. § 4204 provides that an attorney in fact is entitled to reimbursement for reasonable expenses incurred as a result of acting as such, but Ms. Fishinghawk has not established a) that she has paid Baker Manock & Jensen any fees or costs and is entitled to reimbursement, or 2) that she in fact acted for the benefit of the principal. On the contrary, she paid herself over \$113,000 for services and expenses for which no support is provided, facilitated a payment of \$143,156.64 to purchase a truck for an unidentified person, and the account shows transfers of substantial sums and securities to additional unknown or unidentified accounts.

Objectors believe that upon gaining access to Mr. Doyle's individual and trust accounts, she paid herself substantial sums, gave his car to her husband, who did not make consistent payments, disbursed over \$143,000 to purchase a truck for an unidentified individual, and transferred other sums. Objectors believe the Court should sustain the objections and order Ms. Fishinghawk to amend it, surcharge her for any and all disbursements that she cannot establish were for the benefit of her father, in an amount according to proof.

**Objectors request the Court issue an order as follows:**

1. Denying approval of the account, report, and supplement;
2. Denying approval of Ms. Fishinghawk's acts and proceedings as attorney-in-fact;
3. Requiring Ms. Fishinghawk to submit an amended account addressing each objection;
4. Requiring Ms. Fishinghawk to amend to include all bank accounts on which she was a co-owner or co-signor with her father, including all accounts identified in the Supplement.
5. Denying Ms. Fishinghawk's request for payment of attorney's fees and costs from the trust or conservatorship estate; and
6. Granting any and all relief the Court deems just and proper.

Petition for Appointment of Probate Conservator

		See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Court Investigator advised rights on 01/22/16.  Voting rights affected, need Minute Order.  <u>Minute Order 2/11/16:</u> Examiner notes provided in open court.  <u>Note:</u> All issues have now been cured.	
Cont. from 021116				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			x
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation	x		
	FTB Notice			
			Reviewed by: JF/skc	
			Reviewed on: 3/18/16	
			Updates: 3/22/16	
			Recommendation:	
			File 13- Rogers	

Attorney Jeffrey B. Pape (for Petitioner Darle Stone)

**Petition for Probate of Will and for Letters Testamentary. Authorization to Administer under the Independent Administration of Estates Act**

<b>DOD: 9/17/2015</b>		<b>LETTERS OF SPECIAL ADMINISTRATION GRANTED EX PARTE AND ISSUED TO PETITIONER EXPIRE 2/18/2016; extended to 3/24/2016</b>  <b>DARLE STONE</b> , daughter and named Executor without bond, is Petitioner.  Full IAEA: O.K.  Will Dated: 8/4/2005  Residence: Fresno  Publication: Business Journal  <b>Estimated value of the Estate:</b> Personal property - \$180,000.00 Annual income P/P - \$ 20,000.00 <b>Total - \$200,000.00</b>  <b>Probate Referee: Rick Smith</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> Special Administration was requested for the purpose of empowering Petitioner to immediately take charge of protecting the estate's security interest in encumbered real property, which secures estate assets (promissory notes) by authorizing Petitioner to bid at foreclosure sale to prevent foreclosure of the debtor's real property valued at ~\$1,000,000.00. <i>Letters of Special Administration</i> grant Petitioner power to take possession of estate personal property, maintain legal proceedings, to borrow money from Petitioner as Trustee to bid at the foreclosure sale, and to purchase secured debts prior to foreclosure sale of the real property.  <u>Note:</u> Court will set Status Hearings as follows: <ul style="list-style-type: none"> <li>Wednesday, August 24, 2016 at 9:00 a.m. in Dept. 303 for the filing of the final inventory and appraisal; and</li> <li>Wednesday, May 24, 2017 at 9:00 a.m. in Dept. 303 for the filing of the first account and/or petition for final distribution.</li> </ul> Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
<b>Cont. from 021816</b>			
<input type="checkbox"/> Aff.Sub.Wit.	S/P		
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input checked="" type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Petitioner Howell, Calvin John, Sr. (Pro Per – Father – Petitioner)

Petitioner Howell, Alvena (Pro Per – Mother – Petitioner)

## Petition for Appointment of Probate Conservator of the Person

		See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Court Investigator advised rights on 2/9/16</u>  Continued from 2/18/16. Nothing further has been filed. The following issues remain noted:  1. The petition is blank at #3g re whether conservatorship has been filed in another jurisdiction.  2. The petition is blank at #4a re whether the proposed Conservatee is a patient in or on leave of absence from a state institution.  3. The petition at #11 lists Petitioners (parents) as Jalexis' only relatives. Need complete list of all relatives within the second degree, which includes siblings and grandparents. If deceased, please so state and provide dates of death per Local Rule 7.1.1.D.  4. Need Citation.  5. Need proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Jalexis Howell.  <u>SEE ADDITIONAL PAGES</u> Reviewed by: skc Reviewed on: 3/17/16 Updates: Recommendation: File 15- Howell	
Cont. from 021816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			X
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation	X		
	FTB Notice			

**Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):**

- 6. Need Notice of Hearing.**
- 7. Need proof of service of Notice of Hearing with a copy of the petition at least 30 days prior to the hearing per Probate Code §1822(e) on CVRC.**
- 8. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1822 on all relatives within the second degree (per #3 above).**
- 9. The petition does not request medical consent powers under Probate Code §2355; however, the Court Investigator's report indicates that Petitioners wish to request these powers. The Court may require amended petition and/or additional service to ensure that this request is included with the service on the proposed Conservatee and all relatives.**
- 10. If medical consent powers under Probate Code §2355 are requested, need Capacity Declaration (GC-335) pursuant to Probate Code §§ 1881, 1890.**
- 11. Need video receipt per Local Rule 7.15.8.A.**

Petitioner

Pineda, Raquel (Pro Per – Daughter – Petitioner)

Attorney

Horton, Lisa (Court-appointed attorney for Proposed Conservatee)

## Petition for Appointment of Probate Conservator of the Person and Estate

			<b>TEMP EXPIRES 3/24/16 (Note: Bond was never filed; therefore, Temp Letters have not issued.)</b>  See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Court Investigator advised rights on 2/9/16.</u>  <u>Minute Order 2/18/16:</u> The Court orders Temporary Conservatorship to Raquel Pineda over her mother without 2590 powers, capacity or medical decision powers. Bond required in the amount of \$23,000. Examiner notes given.  The following issues remain noted regarding this petition:  <p style="text-align: center;"><u>SEE PAGE 2.</u></p>
Cont. from 021816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/o?		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/17/16	
			Updates:	
			Recommendation:	
			File 16- Pineda	

Page 2

**NEEDS/PROBLEMS/COMMENTS:**

Note: Petitioner's declaration filed 3/1/16 states she is not seeking 2590 or specific additional powers under §§ 1873, 1901, as initially indicated in the petition.

1. Need Capacity Declaration (GC-335) in support of medical consent and dementia powers.
2. Notice of Hearing filed 3/1/16 does not indicate that a copy of the petition was included with the service per Probate Code §1822 on the relatives listed, and notice was not given to minor relatives per Cal. Rule of Court 7.51. The Court may require clarification as to whether this was a clerical error in checking the box at #5 if a copy was actually included, or may require further service on all relatives.
3. Need bond of \$23,000.00, based on the conservatee's income only, with cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207. (Note: If there is actually \$100,000 in personal property, bond should be \$132,793.76; however, it appears this was a clerical error and this amount may refer to real property.)

Note: If granted, the Court will set status hearings as follows:

- Thursday, May 12, 2016 for the filing of bond
- Thursday, July 21, 2016 for the filing of the Inventory and Appraisal
- Thursday, May 25, 2017 for the filing of the first account

Petitioner: Sokunthim Ngeth (pro per)

## Petition to Establish Fact of Birth

		<b>SOKUNTHIM NGETH</b> , father, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Petitioner states <b>MILINEAM NGETH</b> was born in Cambodia on September 8, 1996 in the county of Sangkrat Prek Pra, Mean Chey District.	<b>Continued from 2/11/16. Minute order indicates examiner notes were provided in open court.</b>
<b>Cont. from 021116</b>			
	<b>Aff.Sub.Wit.</b>		<p><b>Health and Safety Code §103450 (a) states</b> a verified petition may be filed by any beneficially interested person with the clerk of the superior court in and for (1) the county in which the birth, death, or marriage is alleged to have occurred, (2) the county of residence of the person whose birth or marriage it is sought to establish, or (3) the county in which the person was domiciled at the date of death for an order to judicially establish the fact of, and the time and place of, <b>a birth, death, or marriage that is not registered or for which a certified copy is not obtainable.</b></p> <p>It appears that the petitioner is not trying to establish the fact of birth that was not registered or for which a certified copy is not obtainable but is attempting to correct the date of birth on the documents once Milineam Mgeth entered the United States. The purpose of a petition to establish the fact of birth under the Health and Safety Code is to establish a record that does not exist or for which a certified copy is not available.</p>
✓	<b>Verified</b>	Included in the Declaration in Support of Petition to Establish the Fact of Birth includes copies of the following documents:	
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	1. Cambodian birth certificate of MILINEAM NEGTH showing his birth date as September 8, 1996.	
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>	2. Certificate of United States Citizenship for MILINEAM NEGTH showing his birth date as September 8, 1999.	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>	3. Dissolution Judgment of Sokunthim Ngeth and Sreynoun Ly listing a child of the marriage MILINEAM NEGTH with a date of birth of September 8, 1999.	
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>	The proposed order states that Milineam Ngeth was born in Cambodia and his certificate of birth shows he was born on September 8, 1996, but once he entered the United States his birth date is shown as September 8, 1999.	
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 3/17/16
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 17- Ngeth</b>



## Petition to Determine Succession to Real and Personal Property

<b>DOD: 3/20/2015</b>	<b>ANN E. WILLIAMS</b> ( <i>formerly known as Ann Elizabeth Kennedy in decedent's Will</i> ), daughter, is petitioner	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>	40 days since DOD	
<input type="checkbox"/> Aff.Sub.Wit.	No other proceedings	
<input checked="" type="checkbox"/> Verified	I & A - <b>\$136,068.67</b>	
<input checked="" type="checkbox"/> Inventory	Will dated 4/13/1959 – devises property to petitioner as sole beneficiary due to death of predeceased spouse	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	NA	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<b>Reviewed by:</b> SEF
		<b>Reviewed on:</b> 3/18/2016
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 18- Kennedy</b>

## Petition to Determine Succession to Real Property

DOD: 10/19/2015		<b>STEVEN A. GAFFNEY (son)</b> <b>JEFFREY A. GAFFNEY (son)</b> <b>are petitioners</b>  40 days since DOD  No other proceedings  I & A - <b>\$135,000.00</b>  Decedent died intestate  <b>Petitioners requests</b> court determination that decedent's 100% interest in real property located at 91 W. Rall Avenue, Clovis CA pass to them pursuant to intestate succession as follows:  <b>Steven A. Gaffney (50%)</b> <b>Jeffrey A. Gaffney (50%)</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. The signatures of attorney and petitioners on the petition are not dated. Declarations from attorney and petitioners filed 3/23/2016.	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			NA
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

<b>Reviewed by:</b> SEF
<b>Reviewed on:</b> 3/18/2016
<b>Updates:</b> 3/23/2016
<b>Recommendation:</b>
<b>File 19- Gaffney</b>

**Petition for Probate of Will and for Letters Testamentary with IAEA**

<b>DOD: 9/15/2015</b>		<b>LAURA J. MARKS</b> , daughter and named executor without bond, is petitioner	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		Full IAEA – o.k.	<p><b>Note:</b> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li>• <b>Tuesday, August 23, 2016</b> for filing Inventory and Appraisal</li> <li>• <b>Tuesday, May 23, 2017</b> for filing the first account or petition for final distribution</li> </ul>	
		Will dated 3/2/2005		
<b>Cont. from</b>		Residence: Fresno		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	s/p		Publication: Business Journal
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
<b>Estimated value of Estate:</b>				
Personal property			\$ 0.00	
Annual gross income:			\$ 0.00	
Real property:			\$ 110,000.00	
<b>Total:</b>			<b>\$ 110,000.00</b>	
<b>Probate Referee: Steven Diebert</b>				
			<b>Reviewed by:</b> SEF	
			<b>Reviewed on:</b> 3/18/2016	
			<b>Updates:</b>	
			<b>Recommendation:</b> SUBMITTED	
			<b>File 20- Gibson</b>	

**Petition for Letters of Administration; Authorization to Administer  
Under IAEA**

<b>DOD: 12/13/2015</b>		<b>ANNA KRSTIN PENDERGRASS,</b> daughter, is petitioner and requests appointment as Administrator without bond  All heirs waive bond  Full IAEA – o.k.  Decedent died intestate  Residence: Kingsburg Publication: Kingsburg Recorder  <b>Estimated value of Estate:</b> Personal property                      \$216,000.00 Annual gross income:                \$            0.00 Real property:                            \$            0.00 <b>Total:                                        \$216,000.00</b>  <b>Probate Referee: Rick Smith</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>Continued to 5/5/2016</b></u> at the request of counsel  1. Need proof of service 15 days prior to hearing of <i>Notice of</i> <i>Petition to Administer Estate</i> on: a. James Earl Morgan (son)  2. Item 5a(3)(4) of petition is not checked regarding if decedent was survived by a registered domestic partner.  3. Need <i>Orders</i> .  4. Need <i>Letters</i> .  <b>Note:</b> If granted, the Court will set status hearings as follows:  • <b>Tuesday, August 23, 2016</b> for filing Inventory and Appraisal  • <b>Tuesday, May 23, 2017</b> for filing the first account or petition for final distribution
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	s/p		
<input checked="" type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input type="checkbox"/> <b>Notice of Hrg</b>	x		
<input type="checkbox"/> <b>Aff.Mail</b>	x		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>	x		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>	x		
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			

## Petition for Appointment of Probate Conservator of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			Court Investigator advised rights on 3/4/16
			Voting rights affected – need minute order.
			1. Need Citation and proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing on the Proposed Conservatee per Probate Code §1824.
			2. Need video receipt per Local Rule 7.15.8.A.
			3. Need revised order on <u>current</u> Judicial Council form, which was revised 1/15/16.
			Reviewed by: skc
			Reviewed on: 3/18/16
			Updates:
			Recommendation:
			File 22- Gonzalez

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	X
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	X
✓	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	X
	FTB Notice	

## Petition for Appointment of Temporary Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			Minute Order 3/14/16 (Ex Parte Temp Hearing): The Court orders Lucille Barbo to take the minor to Valley Children's Hospital today for assessment. The 3/24/16 hearing remains.
	Aff.Sub.Wit.		1. Need proof of personal service of Notice of Hearing at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Heather Aguayo
✓	Verified		
	Inventory		2. Proof of service on the father is incomplete as to the server's information at #6. The Court may require clarification re the server's name, address, telephone number.
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3/18/16
			Updates: 3/22/16
			Recommendation:
			File 23- Aguayo

Petitioner: Norma Holland (Pro per)

## Petition for Appointment of Temporary Guardian of the Person

		<b>TEMPORARY EXPIRES 3/24/2016</b> <b>GENERAL HEARING 4/28/2016</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute order dated 3/10/2016</u> states <b>Christelle Holland (mother) must be noticed at least five days prior to 3/24/2016.</b>  1. Proof of personal service of <i>Notice of Hearing</i> filed 3/22/2016 for mother, Chris-Telle Holland, indicates it was served with the petition for appointment of guardian versus the petition for appointment of <u>temporary</u> guardian.	
		<b>NORMA HOLLAND</b> , great aunt, is petitioner		
Cont. from 031016		See petition for details.		
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 3/18/2016	
			Updates: 3/22/2016	
			Recommendation:	
			File 24- Markhem-Holland	